

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**VICTOR APODACA,**

**Plaintiff,**

**v.**

**No. 13-cv-0113 JB/SMV**

**STATE OF N.M. ADULT  
PROB. & PAROLE, et al.,<sup>1</sup>**

**Defendants.**

**ORDER TO SHOW CAUSE**

THIS MATTER is before the Court sua sponte. On December 22, 2014, the Court granted Defendants Hill and Lueras's motion to engage in minimal discovery prior to submitting a *Martinez* report, as ordered by the Court. [Doc. 46]. The Clerk sent notice of the Court's order to Plaintiff Apodaca; the mail returned as undeliverable.<sup>2</sup> See [Doc. 47].

It appears that Plaintiff has changed his address without notifying the Court, as required by D.N.M.LR-Civ 83.6, and has therefore severed contact with the Court. Because Plaintiff has failed to comply with the Court's local rules, see *Baker v. Suthers*, 9 F. App'x 947, 949 (10th Cir. 2001), he will be required to show cause why his complaint should not be dismissed. Failure to comply with this Order may result in dismissal without further notice.

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<sup>1</sup> On February 13, 2014, the Court dismissed several Defendants. Only the following remain: Wesley Hatley, Susan Pautler, Doctor Timothy Hillis, and Nurse Nancy Lueras. [Doc. 22].

<sup>2</sup> The record further indicates that mail sent by Defendants Hillis and Lueras were returned as undeliverable. The December 22, 2014 order required Defendants Hill and Lueras to provide Plaintiff with a HIPAA-compliant medical records authorization form to allow Defendants to obtain his medical records from Plains Regional Medical Center. [Doc. 46]. Defendants Hillis and Lueras attempted to provide Plaintiff with requisite form by mail; the medical authorization form was returned, and the envelope was marked "RTS Discharged." [Doc. 48] at 1.

**IT IS THEREFORE ORDERED** that, **within 21 days** from entry of this Order, Plaintiff notify the Clerk in writing of his current address, or otherwise show cause why this action should not be dismissed.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**